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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN RE:

MEDCO/EXPRESS SCRIPTS MERGER
LITIGATION

Civil Action No. 11-4211 (DMC)

NOTICE OF MOTION

To: All Counsel of Record

COUNSEL:

PLEASE TAKE NOTICE that on at such date and time as the Court shall determine, the undersigned counsel for Plaintiff shall move before the Honorable Dennis M. Cavanaugh at the United States Post Office and Courthouse Building, Newark, New Jersey, for an Order preliminarily approving the settlement in the above matter, conditionally certifying a settlement class and setting a schedule for final approval of the settlement.

The undersigned intends to rely upon the supporting Brief and the related Declaration of Lindsey H. Taylor.

The undersigned hereby consents to disposition of this motion on the papers in accordance with Fed. R. Civ. P. 78.

CARELLA, BYRNE, CECCHI,
OLSTEIN, BRODY & AGNELLO, P.C.
Attorneys for Plaintiff

By: /s/ James E. Cecchi
JAMES E. CECCHI

Dated: November 25, 2011

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